

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-11 are pending in the present application. Claims 1 and 2 are amended and Claims 12-26 are canceled without prejudice by the present amendment.

In the outstanding Office Action, Claims 1-6 and 10 were rejected under 35 U.S.C. § 102(b) as anticipated by Lum (U.S. Patent No. 5,959,462) and Claims 7, 8, 9, and 11 were indicated as allowable if rewritten in independent form.

Applicant thanks the Examiner for the indication of allowable subject matter. However, Applicant maintains Claims 7, 8, 9, and 11 in dependent form because it is believed that amended Claim 1 patentably distinguishes over the applied art.

Regarding the rejection of Claims 1-6 and 10 under 35 U.S.C. § 102(b) as anticipated by Lum, independent Claim 1 has been amended to recite that a second layer “has a first surface and a second surface opposed to the first surface, the first surface of the second layer being adhered to the first layer,” the second layer has “an opening portion which is arranged on the second surface of the second layer,” and “a part of the pads being exposed from the opening portion.” The claim amendments find support in Figure 1B and its corresponding description in the specification. No new matter is believed to be added.

Briefly recapitulating, independent Claim 1 is directed to a semiconductor device that has a first layer and a second layer. The first layer has a plurality of first test elements and the second layer, which is different from the first layer, has a first surface and a second surface opposed to the first surface, the first surface of the second layer being adhered to the first layer. An opening portion is arranged on the second surface of the second layer, a

plurality of pads are arranged in the second layer, and a part of the pads are exposed from the opening portion.

In a non-limiting example, Figure 1B shows the first layer 20, the second layer 30, the plurality of first test elements 22a and 22b, the plurality of pads 36, and the opening portion 37.

Turning to the applied art, Lum shows in Figure 6 a semiconductor device having a first layer 42, a plurality of test elements 28, 29, and 30, a second layer 14 adhered to the first layer 42, and a plurality of pads arranged on a bottom surface of the second layer 14. However, Lum does not teach or suggest an opening portion arranged on a second surface of the second layer 14 and a part of the pads being exposed from the opening portion, as required in amended Claim 1. On the contrary, Lum shows in Figure 6 that the second layer 14 does not have any opening.

In addition, if the wirings 22 shown in Figure 2 of Lum are asserted to correspond to the claimed pads, the wirings 22 of Lum are provided on a first surface of the second layer 14 (not on the second surface as required by amended Claim 1) and the first surface of the second layer 14 is adhered to the first layer as shown in Figure 3. Further, Figure 2 of Lum shows only an incomplete semiconductor device that is inoperable. Figure 8 of Lum shows the complete semiconductor device and in that device the second layer 14 is completely covered on both its surfaces by layers 42 and 44, thus preventing the second layer 14 to have the claimed opening and pads exposed from the opening. Therefore, the wirings 22 in Lum do not expose from an opening portion of the second layer in the complete semiconductor device, as required in amended Claim 1.

Accordingly, it is respectfully submitted that independent Claim 1 and each of the claims depending therefrom patentably distinguish over Lum.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Eckhard H. Kuesters', written in a cursive style.

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